

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

JOHN REDNER,

Plaintiff,

-against-

THE CITY OF MIDDLETOWN et al,

Defendants.

X

ORDER

McMahon, J.:

On March 18, 2021, counsel for the plaintiff presented the court with an order to show cause why he should not be relieved and why an order should not be entered declaring that he had a statutory lien on any recovery relating to the subject matter of this action (Dkt. #26). Counsel for Plaintiff also sought a 90 day stay, so his client could locate new counsel.

The court declined to treat this as an emergency matter, but directed that responsive papers be filed no later than April 2, 2021 and stayed the case. (Dkt. #28) The Corporation Counsel for the City of Middletown did not oppose the withdrawal of counsel but did oppose a stay. (Dkt. # 29)

The court received nothing whatever from Mr. Redner.

And then we dropped the ball. It has been over a year. The court forgot to enter any orders and no one has contacted me about the status of this matter.

I hereby grant the motion for leave to withdraw. However, I cannot rule on the lien request because the scanty papers filed in support of that application (one sentence in a two page double spaced affirmation, with no memorandum of law, as required by the rules of this court) do not provide me with sufficient basis to grant that application. If counsel wishes to pursue an attorney's lien, he needs to make a proper motion, which includes an affirmation outlining (with hourly billing records) the work done, explain his rates, as well as a brief. The court is not going to do that for him. Counsel has until July 1, 2022 to provide the court with a more fulsome record.

The case has been stayed for over a year. I am going to mail this decision to Mr. Redner at the address provided by his now-former attorney. If either Mr. Redner's now former attorney or

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the Corporation Counsel has an updated address for Mr. Redner, they should contact chambers and provide it.

Mr. Redner, this is addressed to you. You have until September 1, 2022 to retain a new lawyer to represent you in this matter. If you haven't hired a lawyer by September 1, you will need to prosecute this action by yourself, and the fact that you are not an attorney, or are incarcerated (if you are still in jail) will not excuse you from complying with all the rules and orders of the court.

In all events, discovery will have to be completed by the end of this calendar year, which should not be difficult.

I apologize for the delay in issuing this order.

Dated: June 8, 2022



U.S.D.J.

BY ECF TO ALL COUNSEL

BY FIRST CLASS MAIL TO:

Mr. John Redner
19A1025
Mohawk Correctional Facility
6514 NY-26
Rome, New York 13440